

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA :
:
- v. - :
:
MICHAEL CLAYTON, :
a/k/a "Bobby," :
:
Defendant. :
- - - - - X

Sealed Information

21 Cr. ____

21 CRIM 712

COUNT ONE

(Narcotics Conspiracy)

The United States Attorney charges:

1. From at least in or about February 2020, up to and including in or about September 2021, in the Southern District of New York and elsewhere, MICHAEL CLAYTON, a/k/a "Bobby," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that MICHAEL CLAYTON, a/k/a "Bobby," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that MICHAEL CLAYTON, a/k/a "Bobby," the defendant, conspired to distribute and possess with

intent to distribute were (i) 400 grams and more of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(A); (ii) 100 grams and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(B); and (iii) mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the offense alleged in Count One of this Indictment, MICHAEL CLAYTON, a/k/a "Bobby," the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with,
a third person;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot
be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United
States Code, Section 853(p), to seek forfeiture of any other
property of the defendant up to the value of the above forfeitable
property.

(Title 21, United States Code, Section 853.)

A handwritten signature in black ink, appearing to read "Damian Williams", written over a horizontal line.

DAMIAN WILLIAMS
United States Attorney

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a/k/a "Bobby,"

Defendant.

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(21 U.S.C. § 846.)

DAMIAN WILLIAMS
United States Attorney

Foreperson
